

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>M.B., A MINOR,</b>	:	
<i>Plaintiff,</i>	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	
<b>SCHUYLKILL COUNTY et al.,</b>	:	
<i>Defendants.</i>	:	<b>No. 18-756</b>

## ORDER

AND NOW, this 21st day of March, 2019, upon consideration of the Schuylkill County Defendants' Motion to Dismiss (Doc. No. 45), the Catholic Social Services of the Diocese of Scranton Defendants' Motion to Dismiss (Doc. Nos. 46, 47), the KidsPeace Defendants' Motion to Dismiss (Doc. No. 48), Plaintiff M.B.'s Responses thereto (Doc. Nos. 50, 51, and 52), the KidsPeace Defendants' Reply (Doc. No. 54), the KidsPeace Defendants' Motion to Stay Discovery pending a ruling on the motions to dismiss (Doc. No. 63), and Plaintiff M.B.'s Response thereto (Doc. No. 66):

1) It is **ORDERED** that, as set forth in the Court's March 12, 2019 Memorandum:

- a. The Schuylkill County Defendants' Motion to Dismiss (Doc. No. 45) is **GRANTED IN PART AND DENIED IN PART**, such that:
  - i. the punitive damages claim against Marcia Hoke in her official capacity only (in Count I) is **DISMISSED WITH PREJUDICE**;
- b. The Catholic Social Services of the Diocese of Scranton Defendants' Motion to Dismiss (Doc. No. 46) is **GRANTED**, such that:
  - i. the § 1983 claims against all of the Catholic Social Services of the Diocese of Scranton Defendants (Count II) are **DISMISSED WITHOUT PREJUDICE**, and
  - ii. the negligence and vicarious liability claims against all of the Catholic Social Services of the Diocese of Scranton Defendants (in Count III) are **DISMISSED WITHOUT PREJUDICE**; and

c. The KidsPeace Defendants' Motion to Dismiss (Doc. No. 48) is **GRANTED IN PART AND DENIED IN PART**, such that:

i. all of the § 1983 claims against the KidsPeace Defendants (in Count I) are **DISMISSED WITHOUT PREJUDICE**.

2) It is **ORDERED** that the KidsPeace Defendants' Motion to Stay Discovery (Doc. No. 63) is **DEEMED MOOT**.

BY THE COURT:

/s/ Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE